

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARK RUBENSTEIN,

Plaintiff,

v.

COSMOS HOLDINGS, INC.

Nominal Defendant,

and

GRIGORIOS SIOKAS,

Defendant.

19 Civ. 6976 (KPF)

STIPULATION AND ORDER RE: AMENDED COMPLAINT

This Stipulation & Order is entered into by and among Plaintiff Mark Rubenstein (“Plaintiff”), Nominal Defendant Cosmos Holdings, Inc. and Defendant Grigorios Siokas (together, “Defendants”), through their respective undersigned counsel:

1. Defendants do not object to Plaintiff filing an Amended Complaint for the purpose of correcting certain of Plaintiff’s calculations of Defendants’ Section 16(b) liability, i.e., the “suspect math” noted by the Court in the Opinion & Order, dated July 10, 2020 (Dkt #38). Defendants’ consent to filing shall not be construed as Defendants’ consent to the substance of the revisions to be included in the Amended Complaint, including, but not limited to, Plaintiff’s calculations.

2. Plaintiff shall file the Amended Complaint upon the Court’s entry of this Stipulation & Order.

3. The filing of the Amended Complaint shall not otherwise affect the deadlines stated in the Court's Opinion & Order. Defendants shall file an Answer to Plaintiff's Amended Complaint on or before July 31, 2020. The parties shall confer and file a proposed case management plan by August 7, 2020.

Dated: New York NY
July 28, 2020



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Attorneys for Plaintiff Mark Rubenstein

SO ORDERED.

DATED: July 28, 2020
New York, New York



Hon. Katherine Polk Failla
United States District Judge